

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 07-3056-01-CR-S-RED</b>
	)	
<b>MAJED S. NASSAR,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

Now before the Court are the Defendant's Motion to Suppress Evidence (Doc. 23), United States's Response to Defendant's Motion to Suppress Evidence (Doc. 23), Report and Recommendation of United States Magistrate Judge (Doc. 29), and Defendant's Response in Opposition to the Magistrate's Report and Recommendation (Doc. 30).

In his Motion to Suppress Evidence, Defendant Nassar ("Nassar") argues that the highway patrolman detained him beyond the scope of his authority and without reasonable suspicion or probable cause and that consent to search his vehicle was obtained only after this unlawful detention. In his Response in Opposition to the Report and Recommendation, Nassar contends "[t]he Magistrate's ruling was [erroneously] premised merely upon a finding that the traffic stop was valid and that the search was consensual." Nassar, however, overlooks the fact the Report and Recommendation specifically considers whether the patrolman had reasonable suspicion to expand the scope of the traffic stop. The Report concludes the patrolman was warranted in expanding the scope of the stop due to Nassar's nervousness, the contents of the vehicle, and the strong odor of dryer sheets emanating from the vehicle. This evidence, viewed in light of the patrolman's experience, was sufficient to expand the scope of the traffic stop. *See*

*United States v. Linkous*, 285 F.3d 716, 720 (8th Cir. 2002).

Upon careful and independent review of the pending motion and the suggestions filed by the parties in regard to said motion, and a review of the applicable law, the Court **OVERRULES** Defendant's Response in Opposition to the Magistrate's Report and Recommendation (Doc. 30) and **ADOPTS** the Report and Recommendation of United States Magistrate Judge (Doc. 29) in full. Accordingly, for the reasons articulated herein and by the Magistrate in the Report and Recommendation, it is hereby **ORDERED** that Defendant's Motion to Suppress Evidence (Doc. 23) is **DENIED**.

**IT IS SO ORDERED.**

DATE: November 7, 2007

/s/ Richard E. Dorr

RICHARD E. DORR, JUDGE  
UNITED STATES DISTRICT COURT